



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** Meulenberg et al.

**Serial No.:** 10/750,410

**Filed:** December 30, 2003

**For:** INFECTIOUS CLONES OF RNA  
RIVUSES AND VACCINES AND  
DIAGNOSTIC ASSAYS DERIVED  
THEREOF

**Examiner:** To be assigned

**Group Art Unit:** To be assigned

**Attorney Docket No.:** 2183-4041.3US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 10, 2004  
Date

  
Signature

Betty-Vowles  
Name (Type/Print)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
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Serial No.: 10/750,410

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#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/874,626

Filed: 6/5/2001

For: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.: 2183-4041.1US  
Serial No.: 6/5/2001  
Filing Date: 09/874,626  
Title: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF

Attorney Docket No.: 2183-5051US  
Serial No.: 09/948,747  
Filing Date: 9/7/2001  
Title: PRRSV VACCINE

Attorney Docket No.: 2183-2643.3US  
Serial No.: 10/226,065  
Filing Date: 8/21/2002  
Title: CAUSATIVE AGENT OF THE MYSTERY SWINE DISEASE, VACCINE COMPOSITIONS AND DIAGNOSTIC KITS

Attorney Docket No.: 2183-5584US  
Serial No.: 10/300,699  
Filing Date: 11/19/2002  
Title: CHIMERIC ARTERIVIRUS-LIKE PARTICLES

Attorney Docket No.: 2183-5911US  
Serial No.: 10/407,822  
Filing Date: 4/4/2003  
Title: ADAPTATION SITES OF PORCINE REPRODUCTIVE AND RESPIRATORY SYNDROME VIRUS

Attorney Docket No.: 2183-2643.4US  
Serial No.: 10/737,658  
Filing Date: 12/16/2003  
Title: CAUSATIVE AGENT OF THE MYSTERY SWINE DISEASE, VACCINE COMPOSITIONS AND DIAGNOSTIC KITS

Attorney Docket No.: 2183-4041.2US  
Serial No.: 10/745,949  
Filing Date: 12/23/2003  
Title: INFECTIOUS CLONES OF RNA RIVUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF

Attorney Docket No.: 2183-4041.4US  
Serial No.: 10/750,409  
Filing Date: 12/30/2003  
Title: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES  
AND DIAGNOSTIC ASSAYS DERIVED THEREOF

This Supplemental Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits; therefore, no fee is due.

Respectfully submitted,



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Enclosures: Form PTO/SB/08

Document in ProLaw



Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/750,410
				Filing Date	December 30, 2003
				First Named Inventor	Meulenbergen et al.
				Group Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	1	of	11	Attorney Docket Number	2183-4041.3US

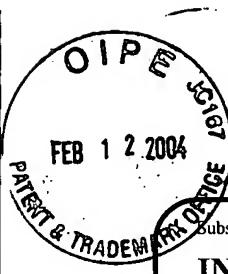
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		#US-3,137,631	06/1964	Soloway	
		#US- 3,959,457	05/1976	Speaker et al.	
		#US- 4,015,100	03/1997	Gnanamuthu et al.	
		#US- 4,205,060	05/1980	Monsimer et al.	
		#US- 4,452,747	06/1984	Gersonde et al.	
		#US- 4,606,940	08/1986	Frank et al.	
		#US- 4,744,933	05/1988	Rha et al.	
		#US- 4,921,706	05/1990	Roberts et al.	
		#US- 4,927,637	05/1990	Morano et al.	
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		#US- 5,008,050	04/1991	Cullis et al.	
		#US- 5,009,956	04/1991	Baumann	
		#US- 5,132,117	07/1992	Speaker et al.	
		#US- 6,268,199	07/2001	Meulenbergen et al.	
		#US- 6,110,467	08/2001	Paul et al.	

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)			
		#EP 0 440 219 A1	08/1991	Schweiz, Serum- & Impf Institut Bern	
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Sheet

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of

11

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Application Number	10/750,410
Filing Date	December 30, 2003
First Named Inventor	Meulenberg et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned

Attorney Docket Number

2183-4041.3US

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		#US-5,476,778	12/1995	Chladek et al.	
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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		#0 587 780	3/1994	Stichting Centraal Diergeneeskundig Instituut		
		#0 610 250	12/1995	Akzo Nobel N.V.		
		#2 282 881	4/1995	Cyanamid Iberica S A		
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		#WO 93/03760	3/1993	Collins et al.		
		#WO 96/04010	2/1996	Regents of the University of Minnesota		
		#WO 96/06619	3/1996	Paul et al.		
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		WO 93/07898	04/1993	Akzo N.V.		

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Application Number	10/750,410
Filing Date	December 30, 2003
First Named Inventor	Meulenbergs et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2183-4041.3US

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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				First Named Inventor	Meulenberg et al.
				Group Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	4	of	11	Attorney Docket Number	2183-4041.3US

<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>				
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<i>(use as many sheets as necessary)</i>				Filing Date	December 30, 2003
				First Named Inventor	Meulenbergen et al.
				Group Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	8	of	11	Attorney Docket Number	2183-4041.3US

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Examiner Signature	Date Considered
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/750,410
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Group Art Unit	To be assigned
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		#AF066183, Porcine reproductive and respiratory syndrome virus RespPRRS MLV, complete genome.	
		#AF325691, Porcine reproductive and respiratory syndrome virus isolate NVSL 97-7985 1A 1-4-2, complete genome.	
		#AF176348, Porcine reproductive and respiratory syndrome virus isolate PA8 complete genome.	
		#AF331831, Procine reproductive and respiratory syndrome virus BJ-4, complete genome.	
		#AE005172, Arabidopsis thaliana chromosome 1, top arm complete sequence.	
		#NC_002534, Lactate dehydrogenase-elevating virus, complete genome.	
		#U87392, Porcine reproductive and respiratory syndrome virus strain VR-2332, complete genome.	
		#M96262, Lelystad virus, complete genome.	
		#AF184212, Porcine reproductive and respiratory syndrome virus strain SP, complete genome.	
		#AF159149, Porcine reproductive and respiratory syndrome virus isolate MLV RespPRRS/Repro, complete genome.	
		#AF046869, Porcine reproductive and respiratory syndrome virus isolate 16244B, 2/18/97 (Nebraska)pass.3, complete genome.	
		#U15146, Lactate dehydrogenase-elevating virus Plagemann strain, complete genome.	
		#VIIIth International Symposium on Nidoviruses (Corona and Arteriviruses), May 20-25, 2000.	

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#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/874,626

Filed: 6/5/2001

For: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

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Sheet	11	of	11	Attorney Docket Number	2183-4041.3US
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First Named Inventor	Meulenberg et al.
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